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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

11NOVELIS, INC.

Plaintiff,

Civil Action No. _____

v.

JURY TRIAL DEMANDED

AUCH; BOOMPOW INTERNATIONAL;
CO2CREA; COSMOS; JELLY COMB;
KONSAIT; OUMERS, INC.; SHENZHEN
HAPURS TECHNOLOGY CO.,
LIMITED; SUSAN'S GADGETS;
TURCOM; TVOKA; and JOHN DOE
ENTITIES 1 THROUGH 20 (whose true
names are unknown),

Defendants.

COMPLAINT FOR PATENT INFRINGEMENT

1. Plaintiff Innoovelis, Inc. ("Innoovelis" or "Plaintiff"), for its Complaint against Defendant AUCH; Boompow International; co2CREA; Cosmos; Jelly Comb; Konsait; Oumers, Inc.; Shenzhen Hapurs Technology Co., Limited; Susan's Gadgets; Turcom; Tvoka; and JOHN DOE ENTITIES 1 THROUGH 20 (collectively referred to as "Defendants"), alleges the following:

NATURE OF THE ACTION

2. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

3. Plaintiff Innoovelis is a company organized under the laws of the state of Minnesota. Innoovelis has its principal place of business at 4713 231st Place SE, Sammamish, WA 98075 (U.S.A.).

4. Upon information and belief, Defendant AUCH is a foreign entity with no known place of business. Defendant does not publically list any information regarding its place of business, and upon numerous requests, Defendant has refused to release any information

1 regarding its place of business. Defendant sells and offers to sell products throughout the United
2 States (via www.amazon.com), including this judicial district. Because the Plaintiff has been
3 unable to locate Defendant, this complaint will identify Defendant by its infringing mounting
4 product ("Product 1"), as illustrated by Figures 1-3 in Exhibit 1 (see [www.amazon.com/Cosmos-](http://www.amazon.com/Cosmos-MD199LL-AirPort-Express-Station/dp/B00C2JNGB2)
5 [MD199LL-AirPort-Express-Station/dp/B00C2JNGB2](http://www.amazon.com/Cosmos-MD199LL-AirPort-Express-Station/dp/B00C2JNGB2)).

6 5. Upon information and belief, Boompow International is a foreign entity with no
7 known place of business. Defendant does not publically list any information regarding its place
8 of business, and upon numerous requests, Defendant has refused to release any information
9 regarding its place of business. Defendant sells and offers to sell products throughout the United
10 States (via www.amazon.com), including this judicial district. Because the Plaintiff has been
11 unable to locate Defendant, this complaint will identify Defendant by its infringing mounting
12 product ("Product 2"), as illustrated by Figures 1-16 in Exhibit 2 (see
13 www.amazon.com/Boompow-Creative-Universal-Mounting-SkyStreamX/dp/B00W35UCUI).

14 6. Upon information and belief, Defendant co2CREA is a foreign entity with no known
15 place of business. co2CREA does not publically list any information regarding its place of
16 business, and upon numerous requests, co2CREA has refused to release any information
17 regarding its place of business. co2CREA sells and offers to sell products throughout the United
18 States (via www.amazon.com), including this judicial district. Because the Plaintiff has been
19 unable to locate co2CREA, this complaint will identify co2CREA by its infringing mounting
20 products ("Product 3" and "Product 4"), as shown in Figures 1-5 in Exhibit 3 (see
21 www.amazon.com/co2CREA-Universal-Mounting-Bracket-Controller/dp/B00MMWCPMK)
22 and Figures 6-11 in Exhibit 3 (see [www.amazon.com/co2CREA-Amazon-Mounting-Silicone-](http://www.amazon.com/co2CREA-Amazon-Mounting-Silicone-Controller/dp/B00MMWRKUC)
23 [Controller/dp/B00MMWRKUC](http://www.amazon.com/co2CREA-Amazon-Mounting-Silicone-Controller/dp/B00MMWRKUC)).

24 7. Upon information and belief, Defendant Cosmos is a foreign entity with no known
25 place of business. Defendant does not publically list any information regarding its place of
26 business, and upon numerous requests, Defendant has refused to release any information
27 regarding its place of business. Defendant sells and offers to sell products throughout the United

1 States (via www.amazon.com), including this judicial district. Because the Plaintiff has been
2 unable to locate Defendant, this complaint will identify Defendant by its infringing mounting
3 product (“Product 1”), as shown in Figures 1-3 in Exhibit 1 (see [www.amazon.com/Cosmos-](http://www.amazon.com/Cosmos-MD199LL-AirPort-Express-Station/dp/B00C2JNGB2)
4 [MD199LL-AirPort-Express-Station/dp/B00C2JNGB2](http://www.amazon.com/Cosmos-MD199LL-AirPort-Express-Station/dp/B00C2JNGB2)).

5 8. Upon information and belief, Jelly Comb is a foreign entity with no known place of
6 business. Defendant does not publically list any information regarding its place of business, and
7 upon numerous requests, Defendant has refused to release any information regarding its place of
8 business. Defendant sells and offers to sell products throughout the United States (via
9 www.amazon.com), including this judicial district. Because the Plaintiff has been unable to
10 locate Defendant, this complaint will identify Defendant by its infringing mounting products
11 (“Product 5” and “Product 6”), as shown in Figures 1-3 in Exhibit 4 (see
12 www.amazon.com/Generic-Universal-Holder-Mounting-Bracket/dp/B00MVRUUYQ) and
13 Figures 1-3 in Exhibit 5 (see [www.amazon.com/Jelly-Comb-Silicone-Universal-](http://www.amazon.com/Jelly-Comb-Silicone-Universal-Mounting/dp/B00MVS7CFK)
14 [Mounting/dp/B00MVS7CFK](http://www.amazon.com/Jelly-Comb-Silicone-Universal-Mounting/dp/B00MVS7CFK)).

15 9. Upon information and belief, Konsait is a foreign entity with no known place of
16 business. Defendant does not publically list any information regarding its place of business, and
17 upon numerous requests, Defendant has refused to release any information regarding its place of
18 business. Defendant sells and offers to sell products throughout the United States (via
19 www.amazon.com), including this judicial district. Because the Plaintiff has been unable to
20 locate Defendant, this complaint will identify Defendant by its infringing mounting products
21 (“Product 2,” “Product 7” and “Product 8”), as illustrated by Figures 1-16 in Exhibit 2 (see
22 www.amazon.com/Konsait-Holder-Mounting-System-Bracket/dp/B00UN6RMT8 and
23 www.amazon.com/Konsait-Universal-skystreamx-Protective-Controller/dp/B00UN3Z82O), and
24 Figures 4-9 in Exhibit 5 ([www.amazon.com/Konsait-Universal-Mounting-Protective-](http://www.amazon.com/Konsait-Universal-Mounting-Protective-Controller/dp/B00W7BKPD2)
25 [Controller/dp/B00W7BKPD2](http://www.amazon.com/Konsait-Universal-Mounting-Protective-Controller/dp/B00W7BKPD2) and [www.amazon.com/Konsait-Universal-Mounting-Protective-](http://www.amazon.com/Konsait-Universal-Mounting-Protective-Controller/dp/B00TGLQX0A)
26 [Controller/dp/B00TGLQX0A](http://www.amazon.com/Konsait-Universal-Mounting-Protective-Controller/dp/B00TGLQX0A)).

1 10. Upon information and belief, Oumers is a foreign entity with no known place of
2 business. Defendant does not publically list any information regarding its place of business, and
3 upon numerous requests, Defendant has refused to release any information regarding its place of
4 business. Defendant sells and offers to sell products throughout the United States (via
5 www.amazon.com), including this judicial district. Because the Plaintiff has been unable to
6 locate Defendant, this complaint will identify Defendant by its infringing mounting product
7 (“Product 2”), as illustrated by Figures 1-16 in Exhibit 2 (see [www.amazon.com/Universal-](http://www.amazon.com/Universal-Mounting-Bracket-AirPort-Express/dp/B00UL4BSUQ)
8 [Mounting-Bracket-AirPort-Express/dp/B00UL4BSUQ](http://www.amazon.com/Universal-Mounting-Bracket-AirPort-Express/dp/B00UL4BSUQ)).

9 11. Upon information and belief, Defendant Shenzhen Hapurs Technology Co., Limited
10 is a corporation organized and existing under the laws of China, with a place of business at 6/F
11 Minle Technology Building, No. 3 Minle Industrial Park, Minzhi Longhua District Shenzhen
12 518131 China. Upon information and belief, Defendant sells and offers to sell products and
13 services throughout the United States, including in this judicial district, and introduces products
14 and services that perform infringing processes into the stream of commerce knowing that they
15 would be sold in this judicial district and elsewhere in the United States.

16 12. Upon information and belief, Susan’s Gadgets is a foreign entity with no known place
17 of business. Defendant does not publically list any information regarding its place of business,
18 and upon numerous requests, Defendant has refused to release any information regarding its
19 place of business. Defendant sells and offers to sell products throughout the United States (via
20 www.amazon.com), including this judicial district. Because the Plaintiff has been unable to
21 locate Defendant, this complaint will identify Defendant by its infringing mounting product
22 (“Product 2”), as illustrated by Figures 1-16 in Exhibit 2 (see [www.amazon.com/Universal-](http://www.amazon.com/Universal-Holder-Mounting-Bracket-Select/dp/B00SL9XUZE)
23 [Holder-Mounting-Bracket-Select/dp/B00SL9XUZE](http://www.amazon.com/Universal-Holder-Mounting-Bracket-Select/dp/B00SL9XUZE)).

24 13. Upon information and belief, Turcom is a foreign entity with no known place of
25 business. Defendant does not publically list any information regarding its place of business, and
26 upon numerous requests, Defendant has refused to release any information regarding its place of
27 business. Defendant sells and offers to sell products throughout the United States (via

1 www.amazon.com), including this judicial district. Because the Plaintiff has been unable to
2 locate Defendant, this complaint will identify Defendant by its infringing mounting products
3 (“Product 9”), as shown in Figures 1-5 in Exhibit 6 (see [www.amazon.com/Turcom-Apple-TV-](http://www.amazon.com/Turcom-Apple-TV-Mounting-Kit/dp/B00MQ5I5X6)
4 [Mounting-Kit/dp/B00MQ5I5X6](http://www.amazon.com/Turcom-Apple-TV-Mounting-Kit/dp/B00MQ5I5X6)).

5 14. Upon information and belief, Tvoka is a foreign entity with no known place of
6 business. Defendant does not publically list any information regarding its place of business, and
7 upon numerous requests, Defendant has refused to release any information regarding its place of
8 business. Defendant sells and offers to sell products throughout the United States (via
9 www.amazon.com), including this judicial district. Because the Plaintiff has been unable to
10 locate Defendant, this complaint will identify Defendant by its infringing mounting product
11 (“Product 2”), as illustrated by Figures 1-16 in Exhibit 2 (see [www.amazon.com/Universal-](http://www.amazon.com/Universal-Holder-Mounting-Bracket-Select/dp/B00SL9XUZE)
12 [Holder-Mounting-Bracket-Select/dp/B00SL9XUZE](http://www.amazon.com/Universal-Holder-Mounting-Bracket-Select/dp/B00SL9XUZE)).

13 **JURISDICTION AND VENUE**

14 15. This is an action for patent infringement arising under the Patent Laws of the
15 United States, Title 35 of the United States Code.

16 16. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

17 17. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c).

18 18. Upon information and belief, each Defendant conducts substantial business in this
19 forum, directly or through intermediaries, including: (i) at least a portion of the infringements
20 alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses
21 of conduct and/or deriving substantial revenue from goods provided to individuals and business
22 in the Commonwealth of Pennsylvania. Further, this Court has personal jurisdiction over
23 Defendants because Defendants have purposely availed itself of the privileges and benefits of the
24 laws of the Commonwealth of Pennsylvania, at least by selling and offering to sell its products
25 into the Commonwealth of Pennsylvania.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,988,616

19. The allegations set forth in the foregoing paragraphs 1 through 17 are incorporated into this First Claim for Relief.

20. On March 24, 2015, U.S. Patent No. 8,988,616 (“the ’616 patent”), entitled “Mounting Systems for Digital Media Players,” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’616 patent is attached as Exhibit 7.

21. Innovelis is the assignee and owner of all right, title and interest in and to the ’616 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

22. Upon information and belief, each Defendant has and continues to directly infringe one or more claims of the ’616 patent under 35 U.S.C. § 271, including at least claims 1-30, by making, using, selling, importing and/or providing and causing to be used mounting products such as the products illustrated in Exhibits 1 through 6.

23. Innovelis has been harmed by each Defendant’s infringing activities.

JURY DEMAND

23. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Innovelis demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Innovelis demands judgment for itself and against Defendants as follows:

A. Equitable relief in the form of a preliminary injunction against the Defendants and its officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any product that infringes the ’616 patent;

B. An adjudication that the Defendants have each infringed the ’616 patent;

C. Equitable relief in the form of a permanent injunction against the Defendants and its officers, partners, employees, agents, parents, subsidiaries, attorneys, and anyone acting or

1 participating with the Defendants, precluding the manufacture, use, sale, or offer for sale of any
2 product that infringes the '616 patent;

3 D. An award of damages to be paid by Defendants adequate to compensate Innovelis
4 for each Defendant's past infringement of the '616 patent, and any continuing or future
5 infringement through the date such judgment is entered, including interest, costs, expenses and
6 an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

7 E. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of
8 Plaintiff's reasonable attorneys' fees; and

9 F. An award to Innovelis of such further relief at law or in equity as the Court deems
10 just and proper.

11 Dated: 5/13/2015

/s/ Wesley E. Schwie

Wesley E. Schwie

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